

FORMALITIES LETTER



OC000000005351581

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/602,874	06/23/2000	Markus Pompejus	BGI-123CP

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

Date Mailed: 08/24/2000



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1772.
 - \$576 for 32 total claims over 20.
 - \$936 for 12 independent claims over 3.
 - \$260 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2592.

12/10/2001 YGIZAW 00000012 09602874

01 FC:103

432.00 OP

A copy of this notice **MUST** be returned with the reply.

12/10/2001 YGIZAW 00000011 09602874

01 FC:103

432.00 OP

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/31/2000 RBERHE 00000089 09602874

01 FC:101	710.00 OP
02 FC:103	130.00 OP
03 FC:103	702.00 OP
04 FC:102	960.00 OP
05 FC:104	270.00 OP

Adjustment date: 12/10/2001 YGIZAW
10/31/2000 RBERHE 00000089 09602874
03 FC:103 -702.00 OP

Void date: 12/10/2001 YGIZAW
12/10/2001 YGIZAW 00000011 09602874
01 FC:103 -432.00 OP

Appn. Ref: 12/10/2001 YGIZAW 0014455300
Pub. No: 120080
Name/Number: 09602874
FC: 704
\$270.00 CR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the application of: Markus Pompejus *et al.*

Serial No.: 09/602,874

Filed: June 23, 2000

For: "Corynebacterium Glutamicum Genes Encoding
Regulatory Proteins"

Attorney Docket No.: BGI-123CP

Group Art Unit: 1645

Examiner:

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

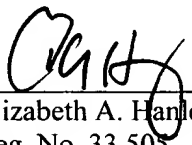
Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

October 24, 2000

Date of Signature and of Mail Deposit

By:


Elizabeth A. Hanley
Reg. No. 33,505
Attorney for Applicants

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Dear Sir:

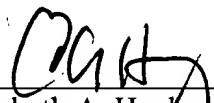
Responsive to the Notice to File Missing Parts of Nonprovisional Application dated August 24, 2000, Applicants submit herewith the executed Declaration, Petition and Power of Attorney for Patent Application for the above-identified patent application. A check in the amount of \$2,772.00 is enclosed to cover the total amount owed by Applicants, including \$130.00 surcharge, \$710.00 basic filing fee, \$1,662.00 additional claim fee, and \$270.00 multiple dependent claim fee, based on large entity status. A copy of the Formalities Letter is also enclosed.

Applicants' attorney notes that the claim fee calculation in the Formalities Letter is incorrect. We calculate **39** total claims over 20, and **12** independent claims over 3.

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. 1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,



Elizabeth A. Hanley
Registration No. 32,505
Attorney for Applicants

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: October 24, 2000

LAHIVE
&
COCKFIELD
LLP

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahcoc.com



JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
RALPH A. LOREN
GIULIO A. DeCONTI, JR.
ANN LAMPORT HAMMITTE
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURETANO
KEVIN J. CANNING
JANE E. REMILLARD
JEANNE M. DIGIORGIO
DEBRA J. MILASINIC, Ph.D.
NICHOLAS P. TRIANO, III
WILLIAM D. DeVAUL

CHI SUK KIM
DAVID J. RIKKERS
DAVID R. BURNS
JOHN S. CURRAN
SEAN D. DETWEILER
ADAM M. GOODMAN

SENIOR COUNSEL
JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
WILLIAM A. SCOFIELD, JR.
PETER C. LAURO *
DeANN FORAN SMITH**

* Admitted in NY only
** Admitted in MI only
*** Passed the Patent Bar Examination

PATENT AGENTS
MEGAN E. WILLIAMS, Ph.D.

TECHNICAL SPECIALISTS
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.***
CYNTHIA M. SOROOS
PETER W. DINI, Ph.D.
LAUREN C. FOSTER, D.Sc.
EUIHOON LEE
ERICK B. BERGLUND, Ph.D.
LISA M. DIROCCO
JENNIFER K. ROSENFELD
JUDITH STONE-HULSLANDER, Ph.D.
PETER S. STECHER
ALLAN TAMESHTIT
CATHERINE E. McPHERSON
RICHANAND
GARY W. FLOURDE II

SECTOR 18

October 24, 2000

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/602,874
Filed: June 23, 2000
Entitled: *Corynebacterium Glutamicum* Genes
Encoding Regulatory Proteins
Inventors: Markus Pompejus et al.
Our Reference: BGI-123CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Nonprovisional Application (in duplicate);
2. Executed Declaration, Petition and Power of Attorney for Patent Application;
3. Copy of Formalities Letter;
4. Check for \$2,772.00 (including \$710 filing fee, \$1,662 extra claim fee, \$270 multiple dependent claim fee, and \$130 surcharge); and
5. Acknowledgment postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, DC 20231 on:

October 24, 2000

Date

Elizabeth A. Hanley, Reg. No. 33,505

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Elizabeth A. Hanley
Reg. No. 33,505